

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/EP2004/014578

International filing date (day/month/year)  
20.12.2004

Priority date (day/month/year)  
19.12.2003

International Patent Classification (IPC) or both national classification and IPC  
B62K5/08, B62D9/02

Applicant  
PIAGGIO & C. S.P.A.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Authorized Officer

Grunfeld, M

Telephone No. +31 70 340-2216



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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material:  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing:  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

|                               |             |                    |
|-------------------------------|-------------|--------------------|
| Novelty (N)                   | Yes: Claims | 6,9-17,19,20,22-28 |
|                               | No: Claims  | 1-5,7,8,18,21      |
| Inventive step (IS)           | Yes: Claims | 12-17              |
|                               | No: Claims  | 1-11,18-28         |
| Industrial applicability (IA) | Yes: Claims | 1-28               |
|                               | No: Claims  |                    |

**2. Citations and explanations**

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1. Reference is made to the following documents:  
D1: GB-A-2 279 047 (DAVID DOVISON) 21 December 1994  
D2: WO 01/92084 A (APRILIA S.P.A) 6 December 2001  
D3: DE 201 01 192 U1 (SHAW, ANTHONY) 10 May 2001  
D4: US-A-4 180 280 (DOVERI, CARLO) 25 December 1979  
D5: US-A-3 783 961 (HOOPER B,GB) 8 January 1974  
D6: DE 30 44 899 A1 (WAGNER,JAN) 3 June 1982  
D7: EP-A-0 626 307 (DOVERI, MARCO) 30 November 1994
2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

- 2.1 The document D1 discloses (the references in parentheses applying to this document):

Four-wheeled vehicle (claim 14) with two steered front wheels (3) comprising a frame (4), handlebars (implicitly present), two rear wheels and a front suspension group (17) that acts upon said two front wheels (3) wherein said front suspension group (17) allows the rolling of the vehicle.

Similarly all the features of claim 1 are also disclosed in document D2

3. Dependent claims 2-11, 18-28 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1, D2, D3, D4, D5, D6 and D7 and the corresponding passages cited in the search report.
4. It would seem that the combination of the features of dependent claims 12-17 is neither known from, nor rendered obvious by, the available prior art. Care should be taken when drafting a new set of claims to remove alternative embodiments which

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2004/014578

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would not be included in, or contradict, the subject matter of new claim 1, and to amend the description accordingly.

**PCT**

FIRST NOTICE INFORMING THE APPLICANT OF  
THE COMMUNICATION OF THE INTERNATIONAL  
APPLICATION (TO DESIGNATED OFFICES WHICH  
DO NOT APPLY THE 30 MONTH TIME LIMIT  
UNDER ARTICLE 22(1))

(PCT Rule 47.1(c))

To:

DE GREGORI, Antonella  
Ing. Barzanò & Zanardo Milano S.p.A  
Via Borgonuovo, 10  
I- 20121 Milano  
ITALIE

Date of mailing (*day/month/year*)  
21 July 2005 (21.07.2005)

Applicant's or agent's file reference  
NdP/89031

**IMPORTANT NOTICE**

International application No.  
PCT/EP2004/014578

International filing date (*day/month/year*)  
20 December 2004 (20.12.2004)

Priority date (*day/month/year*)  
19 December 2003 (19.12.2003)

Applicant

PIAGGIO &amp; C.S.P.A. et al

1. **ATTENTION:** For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), **does apply**, please see Form PCT/IB/308(Second and Supplementary Notice) (to be issued promptly after the expiration of 28 months from the priority date).

2. Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below:  
30 June 2005 (30.06.2005)

CH

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

3. The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1 :

LU, SE, TZ, UG, ZM

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

4. **TIME LIMITS** for entry into the national phase

For the designated Office(s) listed above, and unless a demand for international preliminary examination has been filed before the expiration of **19 months** from the priority date (see Article 39(1)), the applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be **20 MONTHS** from the priority date.

In practice, **time limits other than the 20-month time limit** will continue to apply, for various periods of time, in respect of certain of the designated Offices listed above. For regular updates on the applicable time limits (20 or 21 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

It is the applicant's sole responsibility to monitor all these time limits.

ING. B &amp; Z. Milano

1 - AUG. 2005

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

**PCT**

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